

Notice of Allowability

Application No.

10/671,213

Examiner

Nick Corsaro

Applicant(s)

SCHAEFER ET AL.

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 05/24/2005.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 24 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

Allowable Subject Matter

1. Claims 1-25 are allowed.
2. Claims 21-25 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

3. The following is a statement of reasons for the indication of allowable subject matter:

Concerning claims 1-20, the prior art of record fails to teach a method for talker arbitration for a push-to-talk function, the method for talker arbitration comprising the steps of: receiving an indication that a talking floor is available; establishing an uplink temporary block flow; prior to a release of the uplink temporary block flow by the mobile communication system, sending a refresh message to the mobile communication system to hold the uplink temporary block flow; and activating the push-to-talk function.

Concerning claims 21-25, the prior art of record fails to teach, a method for wake up of a target mobile unit comprising the steps of: obtaining by the mobile communication system an identifier of the target mobile unit; sending by the mobile communication system a wake up packet to the target mobile unit; and prior to a release of the downlink temporary block flow, sending by the mobile communication system a wake up message to hold the downlink terminal block flow.

Rosen et al. (6,738,617) and Maggenti et al. (US 2002/0058523 A1) are exemplary references from the relevant subclasses. Both Rosen and Maggenti are disclosing state of the art Push to Talk communication systems, wherein in the Group communication systems push to talk (PTT) is incorporated to summon channel assignments from the system. Both systems disclose that

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upon depression of a PTT at communication unit, a floor request is initiated to the system and if successful a floor grant is sent to communication unit. Subsequently or simultaneously the target communication units are contacted along with channel assignments and releases that accompany PTT depressions. Rosen and Maggenti also discuss sending wake up signals to the intended target communication unit if session has gone dormant.

Therefore, with regard to claims 1-20, the prior art discloses a method for talker arbitration for a push-to-talk function, the method for talker arbitration comprising the steps of: receiving an indication that a talking floor is available; establishing an uplink temporary channel and initiation the PTT communication session; however, the prior art fails to teach Uplink Temporary Block flows, and prior to a release of the uplink temporary block flow by the mobile communication system, sending a refresh message to the mobile communication system to hold the uplink temporary block flow; and activating the push-to-talk function and, with regard to claims 21-25, the prior art discloses a method for wake up of a target mobile unit comprising the steps of: obtaining by the mobile communication system an identifier of the target mobile unit; sending by the mobile communication system a wake up packet to the target mobile unit; however the prior art fails to teach downlink terminal block flows, and prior to a release of the downlink temporary block flow, sending by the mobile communication system a wake up message to hold the downlink terminal block flow.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nick Corsaro whose telephone number is 571-272-7876. The examiner can normally be reached on 7:00-3:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A Maung can be reached on **571-272-7882**. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nick Corsaro

**NICK CORSARO
PRIMARY EXAMINER**

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